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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/330,573 10/28/94 AIDA

24M1/0516

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M	
EXAMINER	
KYLE, C	
ART UNIT	PAPER NUMBER
	7

2411

DATE MAILED:

05/16/96

This is a communication from the examiner in response to your application on
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 4/28/94 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-12 are pending in the application.
Of the above, claims 11 & 12 are withdrawn from consideration.
2. ☐ Claims have been cancelled.
3. ☐ Claims are allowed.
4. ☒ Claims 1-10 are rejected.
5. ☒ Claims 11 & 12 are objected to.
6. ☐ Claims are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☒ Other See Attached (Part III)

EXAMINER'S ACTION

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Part III DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for priority based on an application filed in Japan on June 19, 1994. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. § 119.

Additionally, a search by the Examiner indicates that either the foreign application number or the filing date of the priority application, as recorded in the Amendment received January 11, 1995, Paper Number 3, may be incorrect. Applicant is advised to thoroughly review the information relevant to the claim for foreign priority for consistency and correctness.

Information Disclosure Statement

2. The information disclosure statement filed October 28, 1994 fails to comply with 37 CFR § 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered as to the merits.

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Oath/Declaration

3. A new oath or declaration is required because of the attempt to amend the Declaration filed October 28, 1994. The wording of an oath or declaration cannot be amended. If the wording is not correct or if all of the required affirmations have not been made or if it has not been properly subscribed to, a new oath or declaration is required. The new oath or declaration must properly identify the application of which it is to form a part, preferably by Serial Number and filing date in the body of the oath or declaration. See M.P.E.P. §§ 602.01 and 602.02.

Drawings

4. The drawings are objected to because of the problems noted by the Draftsman in the attached Form PTO-948. Correction is required.

Specification

5. Applicant is reminded of the proper language and format of an Abstract of the Disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such

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as "means" and "said", should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The Abstract of the Disclosure is objected to because it is in two paragraphs, contains an unnecessary title and is not in clear idiomatic English. Correction is required. See M.P.E.P. § 608.01(b).

7. This application is informal in the arrangement of the specification.

The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of Specification

The following order or arrangement is preferred in framing the specification and, except for the title of the invention, each of the lettered items should be preceded by the headings indicated below.

- (a) Title of the Invention.
- (b) Cross-References to Related Applications (if any).
- (c) Statement as to rights to inventions made under Federally-sponsored research and development (if any).
- (d) Background of the Invention.
 1. Field of the Invention
 2. Description of the Prior Art.
- (e) Summary of the Invention.
- (f) Brief Description of the Drawing.
- (g) Description of the Preferred Embodiment(s).
- (h) Claim(s).
- (i) Abstract of the Disclosure.

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In the instant Application, the Brief Description of the Drawings at Page 5 does not provide description of each figure presented. Additionally, the Detailed Description of the Drawings appears to be text which should be titled Description of the Preferred Embodiments. Correction is required.

Claim Objections

8. Claims 1, 2, 6, 8, and 10 are objected to because of the following informalities: These claims contain parenthesized phrases which cause the context of the phrase to become unclear. Appropriate correction is required.

9. Claims 11 and 12 are objected to under 37 C.F.R. § 1.75(c) as being in improper form because a multiple dependent claim shall refer to other claims in the alternative only. It is unclear whether these claims refer to other claims in the alternative or in conjunction. See M.P.E.P. § 608.01(n). Accordingly, Claims 11 and 12 have not been further treated on the merits.

Claim Rejections - 35 USC § 112

10. Claims 1-10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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As to the Claims, they are replete with grammatical errors which make examination difficult. Specifically, Claims 1, 2, 4, 6 and 10 recite "a string of characters such as an abbreviation and a shorthand". The phrase "such as" makes the claim vague because one does not know what other strings might function in the invention. In those Claims reciting (word pattern elements), the need for parentheses is unclear.

Concerning Claims 1, 2, 4, 6, 7, 8 and 10, the phrase "to be done automatically" is unclear in exactly what function is to be done automatically.

As to Claims 3, 5, 7 and 9, they mix recitations of system elements and function steps, making unclear whether the Claims are apparatus or method Claims.

Additionally, the Claims contain numerous spelling errors and disagreements of case. The Claims should be thoroughly reviewed for grammatical correctness, spelling, and clarity in the claiming of the invention.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

12. Claims 1-10 are rejected under 35 U.S.C. § 103 as being unpatentable over Capps et al in view of Hullender and further in view of Computerworld. Please note that the rejection of the Claims is based on an understanding of the invention as a method for recognizing handwritten text through comparison of a minimum number of inputted characters to words in a dictionary and a resulting earliest possible output of the recognized dictionary word, i.e. not all characters in the word must be processed for recognition to be completed. This interpretation is the Examiners best understanding of the Claims based on their unclear wording.

As to Claims 1, 2 and 4 Capps et al disclose the invention substantially as claimed, including a text input system for the handwritten input of character data and the recognition of such data and its output following recognition. See Summary of the Invention. The invention disclosed by Capps et al comprises:

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- (1) an input system for the character by character input of word data (Figure 1, elements 20 and 38; Column 3, line 66 to Column 4, line 18)
- (2) memory for storage of inputted word data (Figure 1, element 22; Column 4, lines 19-31)
- (3) word data dictionary for the recognition and selection of the word in the dictionary which corresponds to the input data (Figure 9, element 140; Column 10, line 34 to Column 11, line 55)
- (4) an output system for outputting the selected word (Column 3, line 66 to Column 4, line 55)
- (5) presentation of and selection from among relevant words which may be represented by the input text (Figures 5 and 6, Column 8, line 47 to Column 9, line 57)

Capps et al do not disclose the character by character examination of an input string to determine the presence in the dictionary of a particular word to be displayed. Hullender, however, discloses such examination (Figure 2; Summary of the Invention) and suggests an earliest exit strategy for abbreviation recognition in the Abstract. It would have been obvious to one of ordinary skill in the art of handwriting recognition at the time of the invention to have used the recognition of abbreviations for earliest recognition suggested by Hullender in the handwriting recognition system disclosed by

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Capps et al because this would have allowed for recognition of handwritten input at the soonest possible time and would have speeded word processing and recognition performed by the system.

Further, Computerworld discloses character by character examination of an input string to perform recognition in the last paragraph of the article.

As to Claims 3, 5, 7 and 9, they appear to recite sequential input of characters and comparison of these characters to word in a dictionary to obtain recognition. This is disclosed by Hullender at Figure 2 and the Summary of the Invention.

Concerning Claim 6, it meets all the requirements of Claims 1, 2 and 4 set forth above. The added feature recited by Claim 6 is that of performing recognition word pattern element by word pattern element, which in the Examiner's best understanding has to do with recognition of calligraphic elements such as are used in the Japanese language. For the same reasons as set forth above in the rejection of Claims 1, 2 and 4, earliest completion of recognition based on word pattern elements would have been obvious.

With respect to Claims 8 and 10 see the discussions set forth above. These claims recite the same inventive elements discussed above in slightly different language and arrangement, and contain no additional elements providing patentable distinction.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kyle whose telephone number is (703) 305-9769.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

DONALD E. McELHENY, JR.
PRIMARY EXAMINER
GROUP 2400



CRK

CRK
May 13, 1996